

PATENT
IBM Docket No. RAL920000090US1

REMARKS

This amendment is in response to the Office Action mailed February 6, 2004.

Applicants confirm election of Group I (claims 1-5) for examination and traverse the restriction as it applies to Group III and Group IV claims. It is applicants' contention that claims 13-18 (Group III) and claims 19-25 (Group IV) should be examined as a single group and not restricted as the Examiner has done. Applicants' contention is that these claims are inseparable and should be examined as one. In particular, applicants argue that claims 19-25 are method claims whereas claims 13-18 cover the computer program for implementing the method set forth in claims 19-25. It is applicants' contention that the claims in Group IV have no other utility other than to implement the method set forth in claims 19-25. For example, applicants direct the Examiner's attention to claims 13 and 19 respectively. In claim 13 the first code module parses the database of rules and partitions said database into n sets wherein n represents number of fields in each rule of said database. The corresponding method step in claim 19 recites - partitioning with an algorithm said database of rules into n sets, where n represents number of fields in each rule. In a similar manner the relationship between the computer program and the method which is implemented can be analyzed. At the conclusion of this analysis it is clear that the program product modules each perform the function set forth in the method claim. As a consequence these claims in Group III and Group IV are inextricably related and should be examined in a single application. As a consequence, combining Group III and Group IV claims is earnestly solicited.

The Examiner objects to the title of the invention and suggests "for Efficient Enforcement" at the end of the title be deleted. In response, the Title is amended in accordance with the Examiner's suggestion.

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Claims 2-5 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. In particular, the Examiner states: "Regarding claims 2-4 the phrases: 'the step' and 'packets' are indefinite". In response to the Examiner's rejection applicants have amended the claims as set forth above which is believed to overcome the rejection. However, the Examiner in his argument supporting the rejection states: "how does the algorithm retrieve them?". Applicants are not sure what the Examiner means by this statement. There is nothing to retrieve in either of these claims. Claim 2 specifically calls for a Full Match search algorithm to test packets against the almost exact rule database. The Full Match search algorithm is a series of process steps that is followed in correlating or testing a packet against a database. As a consequence there is nothing to retrieve as the Examiner's question seems to suggest. If the Examiner still believes that the claim does not satisfy that portion of his query applicants respectfully request that the Examiner expand the language to explain in more detail what he means by "the algorithm retrieving them".

Regarding claim 5 the Examiner states: " 'fields within each rules' are indefinite. What does 'fields within each rules' mean." In response, fields within a rule simply means one of the components of the rules shown for example in Figure 4 and described on page 10 of applicants' specification. In order to address the Examiner's concern "fields" has been changed to "sub-fields". Applicants direct the attention of the Examiner to page 10, line 11 of applicants' specification where the components in a rule is referred to as sub-field. In this specification sub-field of a rule and components are used synonymously.

Claims 1-5 are rejected under 35 USC 102(b) as being anticipated by Irwin (U.S. Patent Number 6,052,683). Before addressing the rejection applicants summarize the law as it applies to anticipation (35 USC 102(b)). For a reference to anticipate the claim every element of the claim must be found explicitly or inherently in a single reference.

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Applying the law to the facts of this case it is applicants' position that several elements of claim 1 and the dependent claims are not found in the reference. For example the element (c) of claim 1 calls for partitioning the database. In the reference database is not partitioned, instead the reference teaches: "The address lookup system 60 partitions the 32-bit destination address into two sections . . . " See column 6, lines 38-40. In essence the reference teaches about partitioning the destination address and not the database as is required by the claim. As a consequence the claim is not anticipated.

In addition, the database has to be partitioned into almost exact rules and others. There is no such teaching in the reference. As a consequence the claim is not anticipated by the reference.

Regarding the dependent claims 2 and 3 require the test of packet be done using Full Match Search algorithm and Software Managed Tree algorithm, respectively. These types of algorithms is not mentioned or suggested in the reference. In fact, the reference is determining the longest prefix matching component in their database with that of a packet. In other words the reference teaches a different invention from what is claimed by applicants. As a consequence the claims are not anticipated.

Newly added claims 26 and 27 further define over the art in that they are specifically identifying the structure for an almost exact rule. As to this structure definition applicants direct the attention of the Examiner to page 8, lines 4-8, applicants' specification.


With respect to the Examiner's argument applicants contend the Examiner appears to make several errors in construing the reference. As a result of these errors the Examiner concludes that the reference anticipates applicants' claim. For example, the Examiner refers to the Abstract to find the element of applicants' claim which reads "applying an algorithm to the database to identify almost exact rules and other rules".

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Applicants respectfully disagree with the Examiner and said a reasonable interpretation would not lead one to this conclusion. Pertaining to the portion of applicants' claim which reads "partitioning the database so that almost exact rules are grouped into one or more groups" the Examiner refers to Figure 5, section 1, and Figure 5, section 2, for the rest of the claim. Again, applicants respectfully disagree with the Examiner and direct his attention to column 6, lines 19-51 which clearly state that in the reference it's the 32-bit destination address which is partitioned. Also, the description as to what Figure 5 depicts is set forth in column 7, lines 3-29. It is applicants' contention that a reading of these portions of the specification and others clearly suggest that there is no partitioning of database much less partitioning of the database in a specific way with the elements in each set having a specific structure as set forth in newly added claims 26 and 27. As a consequence none of the claims are anticipated by the reference.

It is believed the present amendment answers all the issues raised by the Examiner. Reconsideration is hereby requested, and an early allowance of all the claims is solicited.

Respectfully Submitted,


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